

REMARKS

In section 8 of the Office Action, the Examiner acknowledges that claims 17-18 would be allowable if rewritten in independent form. The limitations of claim 17 have been incorporated into claim 1. Claim 18 has been rewritten into an independent claim (new claim 19). Thus, the Applicants believe that claim 1 and claim 19 are now in condition for allowance. Claims 17-18 have been canceled to avoid duplicity. Claims 6-16 are patentable, at least by virtue of their dependency from claim 1. New claims 20-30 correspond to claims 6-16, except that they depend from claim 19. Claims 20-30 are patentable, at least by virtue of their dependency from claim 19. Enclosed please find a form and fee for excess claims.

Furthermore, the Applicants believe that claim 1, even at its amended form, is a generic claim with respect to alleged species A (Fig. 3) and species B (Fig. 4), as stated by the Office Action dated August 11, 2003. Since claim 1 should be allowed, the Applicants believe that non-elected claims 2-5 should be prosecuted and be allowed at on the ground that they depend from claim 1.

In sections 3-4 of the Office Action, the Examiner rejects claim 10 under 35 USC 112, second paragraph, stating that the phrase “wherein the adjacent micro cell structures are connected by a passage” is unclear. That phrase has been amended to “wherein the adjacent micro cell structures surround micro cell spaces connected by a passage”. For example, Figs. 7A-7N and page 8, lines 9-10 of the present application disclose that the adjacent micro cell structures surround a micro cell spaces connected by a passage 630. Thus, the Applicants believe that claim 10 is now clear and that the rejection under 35 USC 112, second paragraph has been overcome.

Disagreement matter of record

In section 6 of the Office Action, the Examiner rejects claims 1, 6-9 and 11-15 under 35 USC 103(a) as being unpatentable over Kishimoto et al. (US Patent No. 6,396,559) in view of Masazumi et al. (US Patent No. 6,331,884). Moreover, in section 7, claim 16 is rejected under 35 USC 103(a) as being unpatentable over Kishimoto et al. In view of Masazumi et al., and further in view of Koons et al. (US Patent No. 5,963,281). The Applicants do not agree with the grounds for these rejections and wish to make their disagreement a matter of record.

For example, the Applicants believe that the cited references fail to disclose “providing the micro cell structures with a liquid crystal utilizing Ink Jet Printing technology” and “combining the first substrate with a second substrate by a sealing member”, as recited by the original claim 1 of the present application.

However, being desirous to conserve time and funds, the Applicants agree to adopt the

Examiner's recommendations. The Applicants understand that claims 17-18 will be allowed if re-written in independent form including all of the limitations of the base and intervening claims.

The Applicants reserve the right to seek protection for any unclaimed subject matter either subsequently in the prosecution of the present case or in a divisional or continuation application.

The Applicants have attempted to address all of the issues raised by the Examiner in the Office Action as the Applicants understand them. The Applicants believe that the Application is now in condition for allowance. If any point requires further explanation, the Examiner is invited to telephone Troy Cai at (323) 934-2300 or e-mail Troy Cai at tcai@ladasparry.com.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account No. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
April 16, 2004
(Date of Deposit)

Troy Guangyu Cai
(Name of Person Signing)

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Respectfully submitted,



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